

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

|                                 |   |  |
|---------------------------------|---|--|
| THOMAS PETERS,                  | ) |  |
|                                 | ) |  |
| Plaintiff,                      | ) | <b>NOTICE OF VOLUNTARY DISMISSAL</b>     |
|                                 | ) | <b>OF DEFENDANT ALPHA NATURAL</b>        |
| v.                              | ) | <b>RESOURCES, INC. ONLY PURSUANT</b>     |
|                                 | ) | <b>TO FED. R. CIV. P. 41(a)(1)(A)(i)</b> |
|                                 | ) |  |
| AMFIRE MINING COMPANY, LLC, and | ) | CASE NO.: 2:14-cv-00021-DSC              |
| ALPHA NATURAL RESOURCES, INC.,  | ) |  |
|                                 | ) |  |
| Defendants.                     | ) |  |


**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT ALPHA NATURAL  
RESOURCES, INC. ONLY PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff Thomas Peters and his counsel, hereby give notice that Defendant Alpha Natural Resources, Inc. is voluntarily dismissed, without prejudice.

This Notice shall not act as a dismissal against Defendant AMFIRE Mining Company, LLC, as this Notice concerns the claims of Plaintiff against Defendant Alpha Natural Resources, Inc. only.

Respectfully submitted,

Date: February 4, 2014

  
\_\_\_\_\_  
Julie Wiczorek Fritsch, Esquire  
PA Bar No.: 89931  
Rudberg Law Offices, LLC  
2107 Sidney Street  
Pittsburgh, PA 15203  
(412) 488-6000  
Attorneys for Plaintiff Thomas Peters

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT ALPHA NATURAL RESOURCES, INC. ONLY PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)** was served upon the following counsel of record via the CM/ECF system which will send notice to the following on this 4<sup>th</sup> day of February, 2014:

Michael P. Leahey, Esquire  
Jackson Kelly, PLLC  
Three Gateway Center  
401 Liberty Avenue, Suite 1500  
Pittsburgh, PA 15222  
(counsel for Defendants AMFIRE Mining Company, LLC  
and Alpha Natural Resources, Inc.)

By: \_\_\_\_\_

Julie Wiczorek Fritsch, Esquire  
Rudberg Law Offices, LLC  
ATTORNEYS FOR PLAINTIFF  
2107 Sidney Street  
Pittsburgh, PA 15203  
(412) 488-6000